

A House bill authorizing the clerk of the county court of Fayette county to transcribe certain records therein named; read first time.

On motion of Mr. Herbert the rule was suspended, bill read a second time and passed to a third reading.

Rule further suspended, bill read a third time and passed.

On motion of Mr. Potter, the Senate adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY, December 9th, 1857.

The Senate met pursuant to adjournment—Prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

A message was received from the House, informing the Senate that the House had passed a Senate's bill to provide for a uniform time for terminating the fiscal year of the several offices of the State Government.

Mr. Caldwell presented the petition of the heirs of Reuben Bebee, and of the heirs of Robert McKinn; referred to the committee on Private Land Claims.

Mr. Russell, chairman of the committee on Engrossed Bills, reported a bill to incorporate the city of Indianola correctly engrossed.

Mr. Grimes, chairman of the committee on Finance, to which was referred a bill making an appropriation for the per diem pay and mileage of the members, and the per diem pay of the officers of the seventh Legislature, reported the same back to the Senate and recommended its passage.

Mr. Paschal, from the committee on State Affairs, made the following report :

The committee on State Affairs have considered the petition of Juana N. Alsbury, and beg leave to report, that petitioner, at the time of the siege and fall of the Alamo, was the wife of Dr. Alexander Alsbury, and during the absence of her husband, though of Mexican descent, she took sides with the brave defenders of the Alamo. Petitioner, her sister, and Mrs. Dickinson, were the only females in the Alamo during that terrible siege. She was active in rendering assistance to the besieged, and was ever the warm friend of the Texas cause. In the recent war with Mexico, her husband joined the American army and was killed. The petitioner is old and destitute.

to be engrossed ; rule suspended, bill read third time and passed by the following vote :

YEAS—Messrs. Britton, Burroughs, Caldwell, Erath, Fall, Graham, Grimes, Guinn, Herbert, Hyde, Lott, McCulloch, Martin, Maverick, Pedigo, Pirkey, Russell, Scarborough, Shepard, Stockdale, Tankersly, Taylor of Fannin, Throckmorton, Truitt, Whaley and Wigfall—25.

NAYS—Mr. Paschal.

The committee on the Judiciary have considered a bill relinquishing to Catharine R. S. Jones, all the right and title that the State has to the escheated property of David Williams, deceased, which proposes to donate the property of said David Williams, deceased, which has escheated to the State amounting to the sum of \$1,433 97 to the said Catharine R. S. Jones, and instruct me to report, that David Williams, during his life time, frequently declared in the presence of various persons, that at his death he wished all his property to vest in the said C. R. S. Jones. That he uttered the same wish and desire, up to within a few days of his death, giving as a reason therefor, that she had always been kind to him, had nursed him in his sickness, and as he had no children or near relatives, he wished to remunerate her by making her his legatee. The committee find that Mrs. Jones attempted to establish her claims in the Courts of the country, upon the ground that the said continuous wish and desire of the said David Williams, he being a mariner, amounted to a nuncupative will. But the decision of the Court was adverse to her claims, because the said Williams had failed to use the words, "this is my last will."

The presiding Judge in the Court below, admitted in the strongest terms the equity of her claim, and has filed a written statement, which accompanies her memorial, showing that the failure of her claim resulted alone from the want of the above words. The committee, therefore, instruct me to recommend the passage of the bill.

On motion of Mr. Britton, the rule was suspended, bill read second time and ordered to be engrossed.

Mr. Burroughs made the following report :

The committee on Enrolled Bills, have examined the following bills and report the same correctly enrolled, properly signed and this day presented to the Governor :

A bill to provide for a Geological Survey of the State.

A bill to incorporate the San Antonio Cotton and Woollen Manufacturing Company.

The committee on Private Land Claims have considered a bill for the relief of Jacob Becker, dec'd, and recommend its passage.

Mr. Potter, chairman of the committee on the Judiciary, made the following reports :

The committee on the Judiciary, to which was referred a bill to incorporate the Richmond Masonic Hall Association in Fort Bend county ; a bill to amend an act to incorporate the town of Greenville ; a bill to amend the second section of an act concerning passengers coming to Texas, approved February 11, 1850 ; and a bill dispensing with scrolls and seals in certain cases, have considered the same, and instruct me to return them to the Senate and recommend their passage.

The Judiciary committee have considered a bill to repeal an act supplemental to an act for the relief of the citizens of Mercer's Colony, and the committee are of the opinion that under the provisions of the act proposed to be repealed, many persons have been enabled to prove out certificates before the District Court, who were not entitled to lands as Colonists of Mercer's Colony, and to prevent the continuance of this evil, the committee direct me to return the bill to the Senate and recommend its passage.

The Judiciary committee have considered a bill to allow a special Deputy Surveyor, in certain cases, to sign official acts and papers, and a majority of the committee think that the legislation proposed is necessary to the convenient transaction of business connected with Surveyor's offices. I am therefore directed to return the bill to the Senate and recommend its passage.

The Judiciary committee have considered a bill to provide for the incorporation of towns and cities. The object of the bill is to provide a plain and simple mode by which towns and cities may become incorporated, and possess and exercise all municipal powers and functions which are usual, without the trouble and expense attending the granting of such charters by the Legislature ; and a majority of the committee believe that the bill under consideration will effect said object. The committee therefore direct me to return the bill to the Senate, and recommend its passage.

Mr. Quinan offered the following resolution :

*Resolved*, That the Governor be requested to communicate to the Senate information of what Assessors and Collectors of taxes are in default to the State for taxes collected since the

organization of the State Government, with the amount for which they may be in default, and whether suits have been instituted for the amount so in default, and the condition of said suits. Adopted.

Mr. Caldwell introduced a bill to amend the 16th section of the act of February 5th, 1841, entitled an act of limitation; read first and second times and referred to the committee on the Judiciary.

Mr. Martin introduced a bill for the relief of the heirs or assigns of John B. Webb; read first and second times and referred to the committee on Private Land Claims.

Mr. Paschal introduced a bill to regulate surveys; read first and second times and referred to the committee on Public Lands.

Mr. Taylor of Fannin introduced a bill for the relief of Jas. G. Collier; read first and second times and referred to the committee on Private Land Claims.

A message was received from the House, informing the Senate that the House had passed the following bills originating in that body:

A bill for the relief of the heirs of William Freer, deceased;

A bill for the relief of Martin Winne;

A bill for the relief of Abel Morgan;

A bill for the relief of the heirs of Jesse Boykin, dec'd;

A bill for the relief of Goodwin Killian;

Also, that Messrs. Brown, Locke and Burks had been appointed a committee on the part of that body to make arrangements for the inauguration of the Governor and Lieut. Governor elect.

#### ORDERS OF THE DAY.

The motion of Mr McCulloch to strike out the second section of a bill to amend an act entitled an act to perfect land titles in Castro's Colony, approved January 22d, 1850, made the special order for to-day, at 11 o'clock, was taken up.

On motion of Mr. Lott, the bill and motion were postponed until Tuesday next, the 15th inst., and made the special order for that day, at 11 o'clock, A. M.

On motion of Mr. McCulloch, the Senate adjourned until to-morrow morning at 10 o'clock.